IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE : N.V. RAMANA

WRIT PETITION NO. 8798 of 2004

Between:

1 Orsu Laxmaiah, S/o. Bakkaiah,
R/o. 1-2-91, Jagital, Karimnagar District.
2 Orsu Bakkaiah, S/o. Komuraiah,
R/o. 1-4-116/1, Jagital, Karimnagar District.
3 Orsu Laxmiah, S/o. Bhumaiah,
R/o. 1-2, Jagital, Karimnagar District.
4 Bontha Iddiah, S/o. Roshaiah,
R/o. 1-5-28/1, Jagital, Karimnagar District. PETITIONERS

AND

1 The Jagtial Municipality, Jagtial, karimnagar District rep. by its Commissioner, Jagtiyal, Karimnagar Dist.
2 The District Collector, Karimnagar Dist, at Karimnagar.

RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus, or any other appropriate writ, order or direaction, declaring the action of the respondents in seeking to dispossess the Petitioenrs from their houses construacted over the land belonging to the respondents municipality, without issuing any notice and opportunity as being illegal, arbitrary, unconstitutional and against principles of natural justice and issue a consequential directions directing the respondents not to dispossess the petitioners without folowing the due process of law .

Counsel for Petitioner : MR.D.BHASKAR REDDY
Counsel for Respondent No.1 : MR.THIMMA REDDY
Counsel for Respondent No.2 : G.P. FOR REVENUE

The Court at the admission stage, made the following :

ORDER :

The writ petition is filed questioning the action of the respondents in seeking to dispossess the petitioners from their houses constructed over the land belonging to respondent municipality without issuing any notice and opportunity as being illegal, arbitrary, unconstitutional.

The petitioners claim to be in occupation of small extents of land belonging to the first respondent municipality and stated to have constructed small houses and living therein. The petitioners allege that and the respondents without following due procedure of law and even without giving any notice or opportunity to the petitioners, are trying to dispossess them from the subject land. Hence, the writ petition.

Heard the counsel appearing for both the parties.

It is to be noted that the petitioners themselves admit that the subject land belongs to respondent municipality, hence, I see no reason to interfere in the matter.

At this stage, learned counsel for petitioners submitted that sufficient time may be granted to the petitioners to vacate themselves from the subject land.

In the circumstances of the case, the writ petition is disposed of granting four weeks time to the petitioners for vacating the land belonging to the first respondent municipality. No costs.

N.V.RAMANA, J

Dated: 23rd June, 2004.

DA/tvk

To

1 The Commissioner, Jagtial Municipality, Jagtial, Karimnagar District. 2 The District Collector, Karimnagar Dist, at Karimnagar.
3. 2 CCs to G.P. for Revenue, High Court, Hyderabad.
4. 2 CD copies.